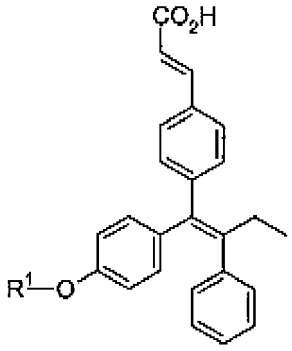
Amendments To The Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

What is claimed is:

1. (Currently Amended) A compound of formula (I):



(I)

including pharmacologically functional salts and, solvates, ~~and pharmacologically functional derivatives~~ thereof, wherein

R^1 is –C(O)-alkyl, -C(O)-aryl, -C(O)-heteroaryl, -C(O)-cycloalkyl, -C(O)-$(CH_2)_n$-NR^4R^5, -C(O)-O-alkyl, -C(O)-$(CH_2)_n$-O-alkyl, -C(O)-$(CH_2)_n$-haloalkyl, -C(O)-$(CH_2)_n$-heterocylcyl, or $-PO_3H_2$;

R^4 and R^5 each independently are selected from H and alkyl; and

n is 1 to 6.

2. (Previously Presented) The compound of claim 1 wherein alkyl is C_1-C_6 alkyl; aryl is phenyl; heteroaryl is thienyl, isoxazoyl, or furyl; cycloalkyl is C_1-C_6 cycloalkyl, haloalkyl is C_1-C_6 haloalkyl, and heterocyclyl is morpholinyl or optionally susbstitued piperizinyl.

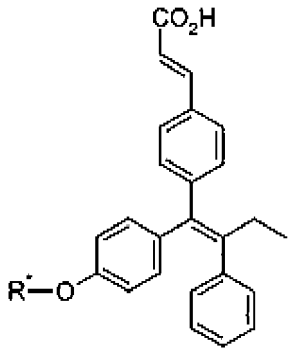
3. (Previously Presented) The compound of claim 1 wherein R^1 is –C(O)-$C_{1\text{-}6}$alkyl.

4. (Currently Amended) The compound of claim 1, wherein the compound is (2*E*)-3-(4-{(1*Z*)-2-phenyl-1-[4-(propionyloxy)phenyl]but-1-

enyl}phenyl)prop-2-enoic acid, including pharmaceutically acceptable salts and, solvates~~, and pharmaceutically acceptable derivatives~~ thereof.

5. (Currently Amended) The compound of claim 1, wherein the compound is (2*E*)-3-(4-{(1*Z*)-2-Phenyl-1-[4-(phosphonooxy)phenyl]-1-butenyl}phenyl)-2-propenoic acid, including pharmaceutically acceptable salts and, solvates~~, and pharmaceutically acceptable derivatives~~ thereof.

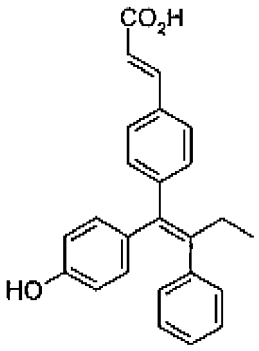
6. (Currently Amended) A compound of formula (I)



(I)

including pharmaceutically acceptable salts and, solvates~~, and pharmaceutically acceptable derivatives~~ thereof, wherein

R^* is any prodrug moiety that provides an approximate 2.5 fold improvement in bioavailability in a rat over a parent compound 1:



1

as measured *in vivo* when administered as a suspension in a pharmaceutically acceptable vehicle.

7. (Previously Presented) The compound of claim 6 wherein the bioavailability is provided through administration as a suspension in a vehicle composed of an aqueous solution containing 0.5% HPMC and 0.1% polysorbate 80.

8. (Previously Presented) The compound of claim 6 wherein R^* is –C(O)-alkyl, -C(O)-aryl, -C(O)-heteroaryl, -C(O)-cycloalkyl, -C(O)-$(CH_2)_n$-NR^4R^5, -C(O)-O-alkyl, -C(O)-$(CH_2)_n$-O-alkyl, -C(O)-$(CH_2)_n$-haloalkyl, -C(O)-$(CH_2)_n$-heterocylcyl, or $-PO_3H_2$;

R^4 and R^5 each independently are selected from H and alkyl; and

n is 1 to 6.

9. (Previously Presented) The compound of claim 6 wherein the improvement is at least 10 fold.

10. (Previously Presented) The compound of claim 6 wherein the improvement is about 15 fold.

11. (Previously Presented) The compound of claim 10 wherein R^* is –C(O)-CH_2-CH_3.

12. (Currently Amended) A compound selected from

(2*E*)-3-(4-{(1*Z*)-2-phenyl-1-[4-(propionyloxy)phenyl]but-1-enyl}phenyl)prop-2-enoic acid;

(2*E*)-3-(4-{(1*Z*)-1-[4-(benzoyloxy)phenyl]-2-phenylbut-1-enyl}phenyl)prop-2-enoic acid;

(2*E*)-3-(4-{(1*Z*)-1-[4-(acetyloxy)phenyl]-2-phenylbut-1-enyl}phenyl)prop-2-enoic acid;

(2*E*)-3-(4-{(1*Z*)-1-[4-(butyryloxy)phenyl]-2-phenylbut-1-enyl}phenyl)prop-2-enoic acid;

(2*E*)-3-(4-{(1*Z*)-1-[4-(2-Furoyloxy)phenyl]-2-phenyl-1-butenyl}phenyl)-2-propenoic acid;

(2*E*)-3-[4-((1*Z*)-1-{4-[(*N*,*N*-dimethylglycyl)oxy]phenyl}-2-phenylbut-1-enyl)phenyl]prop-2-enoic acid;
(2*E*)-3-[4-((1*Z*)-1-{4-[(5-Isoxazolylcarbonyl)oxy]phenyl}-2-phenyl-1-butenyl)phenyl]-2-propenoic acid;
(2*E*)-3-[4-((1*Z*)-2-phenyl-1-{4-[(thien-2-ylcarbonyl)oxy]phenyl}but-1-enyl)phenyl]prop-2-enoic acid;
(2*E*)-3-[4-((1*Z*)-1-{4-[(methoxyacetyl)oxy]phenyl}-2-phenylbut-1-enyl)phenyl]prop-2-enoic acid;
(2*E*)-3-[4-((1*Z*)-2-phenyl-1-{4-[(4,4,4-trifluorobutanoyl)oxy]phenyl}but-1-enyl)phenyl]prop-2-enoic acid;
(2*E*)-3-[4-((1*Z*)-1-{4-[(2,2-dimethylpropanoyl)oxy]phenyl}-2-phenylbut-1-enyl)phenyl]prop-2-enoic acid;
(2*E*)-3-[4-((1*Z*)-1-{4-[(cyclohexylcarbonyl)oxy]phenyl}-2-phenylbut-1-enyl)phenyl]prop-2-enoic acid;
(2*E*)-3-[4-((1*Z*)-1-{4-[(morpholin-4-ylacetyl)oxy]phenyl}-2-phenylbut-1-enyl)phenyl]prop-2-enoic acid;
(2*E*)-3-[4-((1*Z*)-2-phenyl-1-{4-[(piperidin-1-ylacetyl)oxy]phenyl}but-1-enyl)phenyl]prop-2-enoic acid;
(2*E*)-3-{4-[(1*Z*)-1-(4-{[(4-methylpiperazin-1-yl)acetyl]oxy}phenyl)-2-phenylbut-1-enyl]phenyl}prop-2-enoic acid;
(2*E*)-3-(4-{(1*Z*)-2-Phenyl-1-[4-(phosphonooxy)phenyl]-1-butenyl}phenyl)-2-propenoic acid;
(2*E*)-3-[4-((1*Z*)-1-{4-[(Ethoxycarbonyl)oxy]phenyl}-2-phenyl-1-butenyl)phenyl]-2-propenoic acid; and
(2*E*)-3-[4-((1*Z*)-1-{4-[(Methoxycarbonyl)oxy]phenyl}-2-phenyl-1-butenyl)phenyl]-2-propenoic acid, including pharmaceutically acceptable salts and, solvates~~, and pharmaceutically acceptable derivatives~~ thereof.

13. (Canceled).

14. (Previously Presented) A pharmaceutical composition comprising a compound according to claim 1, and a pharmaceutically acceptable carrier.

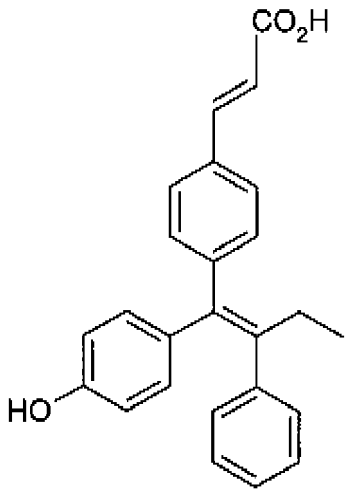
15.-21. (Canceled).

22. (Withdrawn) A method for the treatment or prophylaxis of conditions or disorders associated with selective estrogen receptor modulation comprising the administration of a compound according to claim 1.

23. (Canceled).

24. (Withdrawn) The method of claim 22 wherein the condition or disorder is menopausal or postmenopausal disorders, vasomotor symptoms, urogenital or vulvar vaginal atrophy, atrophic vaginitis, female sexual dysfunction, breast cancer, depressive symptoms, diabetes, bone demineralization, or osteoporosis.

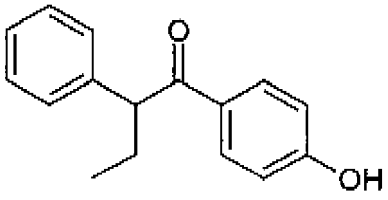
25. (Withdrawn) A process for making ester prodrugs of compound 1:



compound 1

comprising:

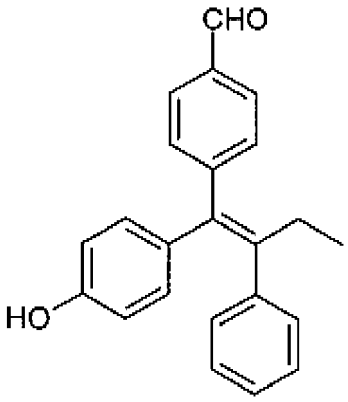
acylating anisole with 2-phenylbutanoic acid followed by demethylation to yield phenol 8:



phenol 8

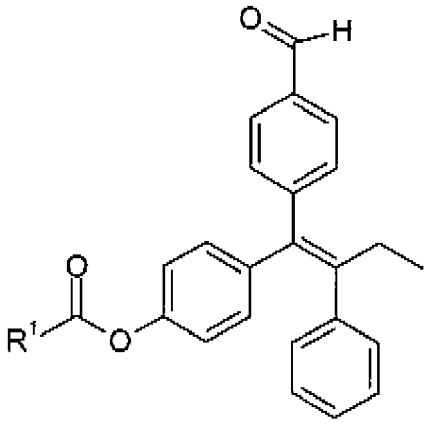
protecting the phenol group;

treating the protected compound with an organometallic reagent followed by dehydration to yield phenol aldehyde 10:



phenol aldehyde 10

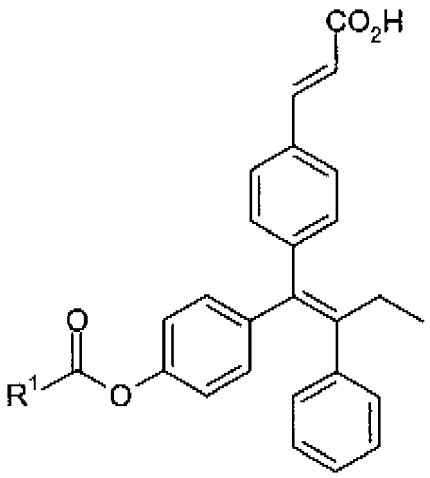
acylating phenol aldehyde 10 with an anhydride or an acid chloride in the presence of a base to yield ester intermediate IV:



ester intermediate IV

wherein R^1 is –C(O)-alkyl, -C(O)-aryl, -C(O)-heteroaryl, or -C(O)-cycloalkyl; and

treating the ester intermediate IV with malonic acid to yield ester prodrug V:



ester prodrug V

wherein R^1 is as described.

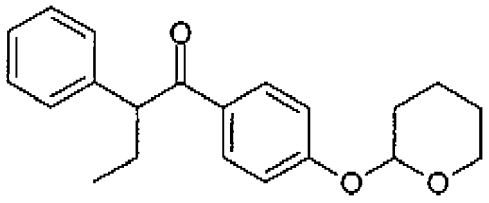
25. (Withdrawn) The process of claim 25 wherein R^1 is –C(O)-alkyl.

26. (Withdrawn) The process of claim 26 wherein R^1 is –C(O)-C_{1-6}alkyl.

27. (Withdrawn) The process of claim 27 wherein R^1 is –C(O)-CH_2CH_3.

28. (Withdrawn) The process of claim 25 wherein the step of acylating anisole with 2-phenylbutanoic acid further comprises acid catalyzed acylation of anisole with the mixed anhydride of trifluoroacetic acid and 2-phenylbutanoic acid, followed by treatment with aluminum chloride in an appropriate solvent.

29. (Withdrawn) The process of claim 25 wherein the step of protecting the phenol group of phenol 8 further comprises protecting phenol 8 as a THP ether 9:



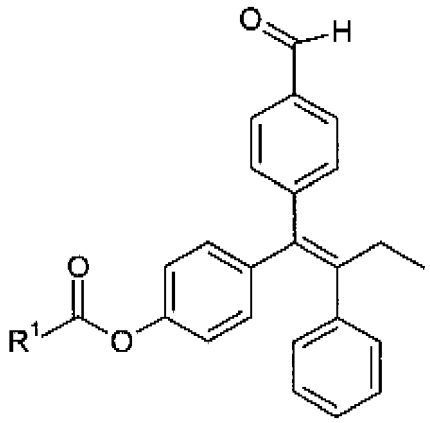
ether 9.

30. (Withdrawn) The process of claim 30 wherein the step of treating the protected compound with an organometallic reagent further comprises

treating ether 9 with [4-(dimethoxymethyl)phenyl] lithium or [4-(diethoxymethyl)phenyl] lithium followed by acid catalyzed dehydration.

31. (Withdrawn) The process of claim 25 wherein the step of acylating phenol aldehyde 10 with an anhydride or an acid chloride in the presence of a base to yield ester intermediate IV is instead comprised of treating the phenol aldehyde 10 with malonic acid to yield ester intermediate IV.

32. (Previously Presented) An intermediate of formula IV:



IV

wherein R^1 is –C(O)-alkyl, -C(O)-aryl, -C(O)-heteroaryl, or -C(O)-cycloalkyl.

33. (Previously Presented) The intermediate of claim 33 wherein R^1 is –C(O)-alkyl.

34. (Previously Presented) The intermediate of claim 34 wherein R^1 is –C(O)-$C_{1\text{-}6}$alkyl.

35. (Previously Presented) The intermediate of claim 35 wherein R^1 is –C(O)-CH_2CH_3.